

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Guy Heide, Michael A. Kosel, and
Duane Taylor,

Civil No. 06-1750 (RHK/AJB)

ORDER

Plaintiffs,

v.

Marion C. Blakely, Administrator, Federal
Aviation Administration, Catherine M. Lang (Acting)
Associate Administrator for Airports, Federal
Aviation Administration,

Defendants.

Before the Court are Plaintiffs' Objections to the October 3, 2006, Report and Recommendation of Magistrate Judge Arthur J. Boylan. Judge Boylan has recommended the dismissal of Plaintiffs' Complaint.

Having reviewed de novo the Report and Recommendation and Plaintiffs' Objections thereto, the undersigned concludes that Judge Boylan's recommended disposition is supported by the record before him and controlling legal principles. Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Plaintiffs' Objections (Doc. No. 20) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 17) is **ADOPTED**;
3. Defendants' Motion to Dismiss (Doc. No. 5) is **GRANTED**; and

3. Plaintiffs' Complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 30, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge